

September 23, 2010

IDEM
Rules Development Branch
Office of Legal Counsel
CFO Rulemaking #09-213

RECEIVED

SEP 24 2010

DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
OFFICE OF LAND QUALITY

Dear Ms. Pittman;

I am writing these comments to you concerning the Livestock and Poultry Rules and Guidelines. Please note for the record that we are a family farm with our children making the fourth generation on our farm. We built our hog operation over a series of years, with the first confinement facility built in 1970, well before IDEM even existed. We have slowly grown our operation, building each facility to comply with the regulations in force at the time of construction.

I understand that you are in the process of altering the regulations and rules once again. While I realize that we are not a mega-operation and have built our facilities over decades, not days or months; please note that we have been and are part of a success story that many livestock farmers have been for the state in Indiana for many years. My comments are directed toward implementation of a new set of rules and guidelines that will determine if there is any future for our livestock operation.

On Farm Record Keeping – It seems to me that this requirement in its current capacity seems to be working well between IDEM and the farmer. Our records are open to inspection by IDEM at any time. There is no reason to change this setting.

Land Application Requirements – The requirement acres for land application should be tied directly to the nutrient acres needed.

Mortality Management – Mortality management is currently being monitored by BOAH and it should remain there.

Manure Application on Frozen or Snow Covered Ground – This is an area of considerable concern to operations like ours. As stated earlier, we have grown our operation over a period of decades and when we built our first building, there was a much shorter storage requirement than the rules for building a facility today. To adamantly change the rules that will no longer allow any spreading of manure nutrients from our buildings during this time frame will either force us to violate your new rules or shut us down.

I must ask, is this your goal? Are you intent on forcing operations to become larger and contract owned rather than smaller and independently owned? If that is the goal, then I ask you to put that in print and communicate it to us that have raised livestock independently for decades, it will indeed ensure the demise of many smaller, independent livestock farms.

Rather, I ask you to consider utilizing the perimeters that you already have in place on this issue. Slope and ground cover have long been intricate aspects of land application during this time of year to ensure water quality, this should be a major consideration provided to existing operations. Are you even discussing these alternatives?

I have only selected a few items from the discussion list, but I hope that you will take the time to read and consider my comments. I do understand that IDEM receives lots of feedback from various groups and while there may be an attempt on your part to maintain the focus of your agency and provide guidance based on fact rather than fiction; it is the attempt of these groups to push you into decision-making based on emotion. So I am asking with both fact and emotion, please consider in your discussions those of us who have worked the land and have worked in our livestock farms attempting to meet your ever growing list of regulations and provide for our families. We ask that you understand as perspective as well. It seems to me that a lot of common sense could go a long way in our efforts to ensure the best water quality for us all.



Kaye Whitehead
Seldom Rest Farms
6220 E., 650 S.
Muncie, IN
765-774-4741
srfwhite@aol.com